



***Environmental  
Planning  
Commission***

***Agenda Number: 7  
Project Number: 1003532  
Case Number(s): 09EPC-40028/40034  
October 15, 2009***

***Staff Report***

<b><i>Agent</i></b>	DAC Enterprises
<b><i>Applicant</i></b>	Afra Construction
<b><i>Request(s)</i></b>	<b>Amend Sector Development Plan Map Site Development Plan for Building Permit</b>
<b><i>Legal Description</i></b>	Lots 17, 18,19, & 20, Block 9, T2, Unit 3
<b><i>Location</i></b>	Holly Avenue NE between Wyoming Boulevard NE and Louisiana Boulevard NE
<b><i>Size</i></b>	Approximately 3.2 acres
<b><i>Existing Zoning</i></b>	SU-2 Mixed Use
<b><i>Proposed Zoning</i></b>	SU-2/SU-1 for Drive-in Restaurant & Mixed Use

***Staff Recommendation***

***30 DAY DEFERRAL***

***Staff Planner***

***Randall Falkner, Planner***

***Summary of Analysis***

The applicant is requesting a 30 day deferral.

Location Map (3" x 3")

City Departments and other interested agencies reviewed this application from 05/11/09 to 05/22/09.  
Agency comments used in the preparation of this report begin on Page #.

## **AREA CHARACTERISTICS AND ZONING HISTORY**

### **Surrounding zoning, plan designations, and land uses:**

	<b>Zoning</b>	<b>Comprehensive Plan Area; Applicable Rank II &amp; III Plans</b>	<b>Land Use</b>
<b>Site</b>			
<b>North</b>			
<b>South</b>			
<b>East</b>			
<b>West</b>			

### **Background**

Purpose of request...

### **History**

Previous zoning or platting actions affecting site

Zoning actions in the surrounding area that affect the request

### **Context**

The area and its surroundings...

### **Long Range Roadway System**

The Long Range Roadway System (LRRS) map, produced by the Mid-Region Council of Governments (MRCOG), identifies the functional classifications of roadways.

The Long Range Roadway System designates ( ) as a Limited-Access Principal arterial, with a right-of-way of 156'.

The Long Range Roadway System designates ( ) as a Minor Arterial, with a right-of-way of 86'.

The Long Range Roadway System designates ( ) as a Principal Arterial, with a right-of-way of 124' (Established & Developing Urban) or 156' (elsewhere).

The Long Range Roadway System designates ( ) as a Collector street, with a right-of-way of 68'.

The Long Range Roadway System designates ( ) as a Major Local street, with a right-of-way of 56-60'.

Long Range Bicycle Plan...

Transit...

Comprehensive Plan Corridor Designation...

***Public Facilities/Community Services***

(text)

***ANALYSIS OF APPLICABLE ORDINANCES, PLANS AND POLICIES***

**Albuquerque Comprehensive Zoning Code**

(analysis)

**Albuquerque / Bernalillo County Comprehensive Plan**

Policy Citations are in Regular Text; ***Staff Analysis is in Bold Italics***

The subject site is located in the area designated (text) by the *Comprehensive Plan* with a Goal to “(text).” Applicable policies include:

Policy ?

***(analysis)***

**Water Conservation/Green Principles**

***(analysis)***

**Example Sector Plan (Rank #)**

The (name) Sector Plan was first adopted in 1981, and revised in ( ). The Plan generally encompasses properties between ( ); specific boundaries are shown on Figure ( ) in the Plan. It sets forth goals and policies regarding land use (Goals x-x), (etc.)

(example) Land Use Goal 1a states that traffic, parking, air pollution, and noise should be controlled to minimize negative impacts to surrounding neighborhoods. (p. no., (name) Sector Plan)

***(analysis)***

**Resolution 54-1990 (Policies on Annexation to the City of Albuquerque)**

This Resolution sets forth policies and requirements for annexation of territory to the City. Land to be annexed shall be generally contiguous to City boundaries, be accessible to service

providers, and have provision for convenient street access to the City. The applicant must agree to timing of capital expenditures for any necessary major streets, water, sanitary sewer and other facilities. Additionally, the *Comprehensive Plan* area designation of a subject site corresponds to specific policies that must be met for approval of an annexation request.

As per the Zoning Code, a zone map amendment for the subject site must be filed and processed concurrently with an annexation action. The Environmental Planning Commission is charged with forwarding recommendations for the requests to the City Council.

*(analysis)*

**Resolution 270-1980 (Policies for Zone Map Change Applications)**

This Resolution outlines policies and requirements for deciding zone map change applications pursuant to the Comprehensive City Zoning Code. There are several tests that must be met and the applicant must provide sound justification for the change. The burden is on the applicant to show why a change should be made, not on the City to show why the change should not be made.

The applicant must demonstrate that the existing zoning is inappropriate because of one of three findings: there was an error when the existing zone map pattern was created; or changed neighborhood or community conditions justify the change; or a different use category is more advantageous to the community, as articulated in the Comprehensive Plan or other City master plan.

*(analysis)*

***ANALYSIS OF SITE DEVELOPMENT PLAN FOR (SUBDIVISION) (BUILDING PERMIT)***

***Site Plan Layout / Configuration***

compatibility with surrounding development  
orientation of building(s), parking, dumpster, etc.  
height, setbacks, open space, f.a.r.

***Walls/Fences***

(text)

***Vehicular Access, Circulation and Parking***

(text)

***Pedestrian and Bicycle Access and Circulation, Transit Access***

(text)

***Lighting and Security***

(text)

***Landscaping***

(text)

***Public Outdoor Space***

(text)

***Grading, Drainage, Utility Plans***

(text)

***Architecture***

(text)

***Signage***

(text)

***CONCERNS OF REVIEWING AGENCIES / PRE-HEARING DISCUSSION***

(only significant comments or outstanding issues that affect the request, otherwise refer to the agency comments at the end of the staff report)

***NEIGHBORHOOD/PUBLIC CONCERNS***

(text)

***CONCLUSIONS***

(text)

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***FINDINGS - (CASE NO.) (DATE) (REQUEST)***

1. These “findings” and “conditions” paragraphs have been formatted to allow a three-line spacing between each paragraph. Copy & paste the entire section for cases with multiple sets of findings and recommendations.
2. The Albuquerque/Bernalillo County Comprehensive Plan,... and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
3. (text) (continue as needed)

***RECOMMENDATION - (CASE NO.)(DATE)***

**APPROVAL DENIAL DEFERRAL of #####, a (request description), for (legal description), based on the preceding Findings and subject to the following Conditions of Approval.**

***CONDITIONS OF APPROVAL - (CASE NO.)(DATE)(REQUEST)***

1. The EPC delegates final sign-off authority of this site development plan to the Development Review Board (DRB). The DRB is responsible for ensuring that all EPC Conditions have been satisfied and that other applicable City requirements have been met. A letter shall accompany the submittal, specifying all modifications that have been made to the site plan since the EPC hearing, including how the site plan has been modified to meet each of the EPC conditions. Unauthorized changes to this site plan, including before or after DRB final sign-off, may result in forfeiture of approvals.
2. Prior to application submittal to the DRB, the applicant shall meet with the staff planner to ensure that all conditions of approval are met.
3. The applicant shall demonstrate how the Water Management Goal, Section II.D.2 of the Comprehensive Plan, is furthered.
4. The applicant shall demonstrate how the Energy Management Goal, Section II.D.3 of the Comprehensive Plan, is furthered.

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5. (text) (continue as needed)

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**(Planner's Name)  
(Title)**

cc: Afra Construction, 2501 Yale Blvd. SE, 102, Albuquerque, NM 87106  
DAC Enterprises, P.O. Box 16658, Albuquerque, NM 87191  
Celina Stoyanof, La Cueva Village N.A., 8111 Oso Feliz NE, Albuquerque, NM 87122  
Dave Nufer, La Cueva Village N.A., 7912 Oso Rico Rd. NE, Albuquerque, NM 87122  
Jeff Peterson, Nor Este N.A., 7800 Eagle Rock Ave, NE, Albuquerque, NM 87122  
Joe Yardumian, Nor Este N.A., 7801 R.C. Gorman Ave. NE, Albuquerque, NM 87122  
Judie Pellegrino, North Domingo Baca N.A., 8515 Murrelet NE, Albuquerque, NM 87113  
Erik Bose, North Domingo Baca N.A., 7200 Peregrine NE, Albuquerque, NM 87113  
Amy Whitling, District 4 Coalition of N.A.'s, P.O. Box 91343, Albuquerque, NM 87199  
Bambi Folk, District 4 Coalition of N.A.'s, 6617 Esther NE, Albuquerque, NM 87109

***Attachments***

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## ***CITY OF ALBUQUERQUE AGENCY COMMENTS***

### ***PLANNING DEPARTMENT***

#### **Zoning Code Services**

No comment

#### **Office of Neighborhood Coordination**

**La Cueva Village NA (R)**

**Nor Este NA (R)**

**North Domingo Baca NA (R)**

**District 4 Coalition of NA's**

**5/11/09 – Recommended for Facilitation – siw**

**5/13/09 – Assigned to Seth Cohen - swatson**

#### **Long Range Planning**

### ***CITY ENGINEER***

#### **Transportation Development Services**

- All the requirements of previous actions taken by the EPC and/or the DRB must be completed and /or provided for.
- The Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed site development plan, as may be required by the Development Review Board (DRB).
- A Traffic Impact Study (TIS) has been submitted and reviewed by Transportation Staff.
- Per Transportation Development Staff, completion of the required system improvements that are attributable to the development, as identified in the TIS, is required. However, these system improvements may have already been addressed with Transportation Development as part of the original development proposal or constructed as part of the Wyoming Boulevard Widening Project. The applicant will need to verify and provide evidence that they have been addressed and/or constructed.
- The Traffic Impact Study is available for review by any interested party, in the office of the Traffic Engineer.
- Does the private access easement for public use from Holly to Carmel and to/from Wyoming, as shown on the site development plan for subdivision, exist today? If so, provide a copy of the appropriate cross access agreements between applicant and adjacent property owners. If not, the applicant will need to provide appropriate cross access agreements with adjacent property owners. In addition, the applicant will also need to demonstrate that the Wyoming access point meets the City's DPM criteria for non-residential curb cuts (includes site drive design and possible right turn deceleration lane) and any recommendations discussed in the TIS.
- Site plan shall comply and be designed per DPM Standards.

#### **Traffic Engineering Operations**



**Hydrology**

- The Hydrology Section has no adverse comments on the site plan. A conceptual grading and drainage plan is required prior to DRB. A concurrent platting action is required at DRB.

**DEPARTMENT of MUNICIPAL DEVELOPMENT**

**Transportation Planning**

**Findings**

- Wyoming Boulevard is a principal arterial with a *minimum* right-of-way width of 156 feet as designated on Long Range Roadway System map.

**Conditions**

- Dedication of a *minimum* 78 feet of right-of-way from the centerline of Wyoming Boulevard a principal arterial as designated on the Long Range Roadway System map.

**Traffic Engineering Operations (Department of Municipal Development):**

- No comments received.

**Street Maintenance (Department of Municipal Development):**

- No comments received.

**New Mexico Department of Transportation (NMDOT):**

- No comments received.

**RECOMMENDED CONDITIONS FROM CITY ENGINEER, MUNICIPAL DEVELOPMENT  
and NMDOT:**

Conditions of approval for the proposed Site Development Plan for Subdivision shall include:

- a. All the requirements of previous actions taken by the EPC and/or the DRB must be completed and /or provided for.
- b. The Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed site development plan, as may be required by the Development Review Board (DRB).
- c. Per Transportation Development Staff, completion of the required system improvements that are attributable to the development, as identified in the TIS, is required. However, these system improvements may have already been addressed with Transportation Development as part of the original development proposal or constructed as part of the Wyoming Boulevard Widening Project. The applicant will need to verify and provide evidence that they have been addressed and/or constructed.
- d. Does the private access easement for public use from Holly to Carmel and to/from Wyoming, as shown on the site development plan for subdivision, exist today? If so, provide a copy of the appropriate cross access agreements between applicant and adjacent property owners. If not, the applicant will need to provide appropriate cross access agreements with adjacent property owners. In addition, the applicant will also need to demonstrate that the Wyoming access point

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meets the City's DPM criteria for non-residential curb cuts (includes site drive design and possible right turn deceleration lane) and any recommendations discussed in the TIS.

- e. A concurrent platting action is required at DRB.
- f. Dedication of a *minimum* 78 feet of right-of-way from the centerline of Wyoming Boulevard a principal arterial as designated on the Long Range Roadway System map.
- g. Site plan shall comply and be designed per DPM Standards.

***WATER UTILITY AUTHORITY***

***Utility Services***

***ENVIRONMENTAL HEALTH DEPARTMENT***

***Air Quality Division***

***Environmental Services Division***

***PARKS AND RECREATION***

***Planning and Design***

Reviewed, no objection. Request does not affect our facilities.

***Open Space Division***

Open Space has no adverse comments

***City Forester***

- Please more diversity along Holly ave – It appears to be all the same species planned
- Don't the buildings get anything along their front, sides, or back?
- Buffering to surrounding property with vegetation? Is that required here?
- The planting detail is gone back to the older one. The detail just needs to say that the root collar should be at finish grade

***POLICE DEPARTMENT/Planning***

***Nearest Police Station:*** John Carrillo Northeast Substation, 8201 Osuna Rd. NE, area between I-25 & Eubank, north of I-40

***CPTED comments on site layout and building design:***

- Suggest removing trees from area that conflict with proposed lighting, especially in parking lot

- All landscaping should be low level variety when mature; maintain a level of no more than 3 feet from ground
- Landscaping should not conflict with proposed lighting and/or obstruct visibility of parking lots, walkways, common areas or building entrance/exit points

***SOLID WASTE MANAGEMENT DEPARTMENT***

***Refuse Division***

APPROVED WILL REQUIRE REANGLE OF 2 ENCLOSURES, ALSO REQUIRES RECYCLE AREA , CALL FOR DETAILS

***FIRE DEPARTMENT/Planning***

***TRANSIT DEPARTMENT***

Adjacent and nearby routes	Local Route #31, Wyoming, and Commuter Peak Hour Route #98, Wyoming, pass the site south bound on Wyoming.
Adjacent bus stops	There is a bus stop east of the property on Wyoming serving Route #31. Transit will be placing a Park and Ride facility approximately 650 feet north once the park is completed.
Site plan requirements	None.
Large site TDM suggestions	N/A
Other information	None.

***COMMENTS FROM OTHER AGENCIES***

***BERNALILLO COUNTY***

***ALBUQUERQUE METROPOLITAN ARROYO FLOOD CONTROL AUTHORITY***

Reviewed, no comment.

***ALBUQUERQUE PUBLIC SCHOOLS***

This will have no adverse impacts to the APS district.

***MID-REGION COUNCIL OF GOVERNMENTS***

***MIDDLE RIO GRANDE CONSERVANCY DISTRICT***

***PUBLIC SERVICE COMPANY OF NEW MEXICO***

- As a condition, it is the applicant's obligation to determine if existing utility easements cross the property and to abide by any conditions or terms of those easements.
- As a condition, it is necessary for the developer to contact PNM's New Service Delivery Department to coordinate electric service regarding this project. Any existing or proposed public utility easements are to be indicated on the site plan utility sheet. PNM's standard for public utility easements is 10 feet in width to ensure adequate, safe clearances.